

RESOLUTION NO. 75433

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE SPECIFYING THE COUNCIL'S DETERMINATION ON A PROPOSED AMENDMENT TO THE SAN JOSE 2020 GENERAL PLAN PURSUANT TO TITLE 18 OF THE SAN JOSE MUNICIPAL CODE

**June 2010 General Plan Amendment
(4200 Dove Hill Road, Project No. GP08-08-03)**

WHEREAS, the City Council is authorized by Title 18 of the San José Municipal Code and state law to adopt and, from time to time, amend the General Plan governing the physical development of the City of San José; and

WHEREAS, on August 16, 1994, the City Council adopted the General Plan entitled, "SAN JOSE 2020 GENERAL PLAN, San Jose, California," dated March, 1994, by Resolution No. 65460, which has since been amended by the Council; and

WHEREAS, the original copy of the General Plan and all amendments thereto (hereinafter collectively the "General Plan") are on file in the office of the Director of the Department of Planning, Building and Code Enforcement; and

WHEREAS, in accordance with Title 18 of the San José Municipal Code, all General Plan amendment proposals are referred to the Planning Commission of the City of San José for review and recommendation prior to City Council consideration of the amendments; and

WHEREAS, on April 7, 2010 the Planning Commission held a public hearing to consider the proposed amendment that is listed in Exhibit "A" hereto (hereinafter "June General Plan Amendment"), among other amendments to the General Plan that were acted upon

with the Spring 2010 cycle, at which interested persons were given the opportunity to appear and present their views with respect to said proposed amendments; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission transmitted its recommendations to the City Council on the proposed June General Plan Amendment; and

WHEREAS, an original copy of the proposed June General Plan Amendment is on file in the office of the Director of Planning, Building and Code Enforcement of the City, with a copy submitted to the City Council for its consideration; and

WHEREAS, pursuant to Title 18 of the San José Municipal Code, public notice was given that on April 27, 2010, at 7:00 p.m. in the Council Chambers at City Hall, 200 East Santa Clara Street, San José, California, the Council would hold a public hearing where interested persons could appear, be heard, and present their views with respect to the proposed June General Plan Amendment; and

WHEREAS, on April 27, 2010, at 7:00 p.m., the Council held a duly noticed public hearing and gave all persons full opportunity to be heard and to present their views with respect to the proposed June General Plan Amendment, which hearing was continued to May 18, 2010, and further continued to June 15, 2010 with additional public notice; and

WHEREAS, in accordance with City Council direction, on June 9, 2010 the Planning Commission held another public hearing to consider the proposed June General Plan Amendment, for the June 2010 cycle, at which interested persons were given the opportunity to appear and present their views with respect to said proposed amendments; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission transmitted its recommendations to the City Council on the proposed June General Plan Amendment as specified in Exhibit "A" hereto; and

WHEREAS, the Council reviewed and considered the Negative Declaration for the proposed June General Plan Amendment for Project No. GP08-08-03 prior to making its determination on the proposed General Plan Amendment for Project No. GP08-08-03; and

WHEREAS, the Council is the decision-making body for all of the proposed General Plan amendments;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

SECTION 1. The Council's determination regarding the June 2010 General Plan Amendment for Project No. GP08-08-03 is hereby specified and set forth in Exhibit "A" attached hereto and incorporated herein.

SECTION 2. This Resolution and the Council's determination of the June 2010 General Plan Amendment for Project No. GP08-08-03 specified in Exhibit "A" shall take effect thirty (30) days following the adoption of this Resolution.

ADOPTED this 15th day of June, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk

STATE OF CALIFORNIA)

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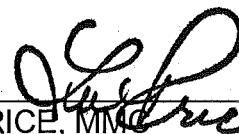
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COUNTY OF SANTA CLARA)

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I hereby certify that the amendment to the San Jose General Plan specified in the attached Exhibit "A" was adopted by the City Council of the City of San Jose on June 15, 2010, as stated in its Resolution No. 7533.

Dated: 6/24/10



LEE PRICE, MMC
City Clerk

EXHIBIT "A" ATTACHED

Exhibit A



JUNE 2010 GENERAL PLAN REVIEW **General Plan Land Use and Text Amendments**

Last Updated:
4/15/2010

File Number	Location Description	Existing GP Designation	Proposed GP Designation	Staff Recommendation	Planning Commission Recommendation	Planning Commission Dates	Planning Commission Vote	City Council Action	City Council Vote	City Council Dates	Owner/Applicant	Project Manager	Environmental Status
District 8 GP08-08-03	East side of Dove Hill Road, approx. 500 feet north of Hassler Parkway (3 acre portion of a 21.1-acre site)	Non-Urban Hillside (Silver Creek Planned Residential Community)	Public/Quasi-Public (Silver Creek Planned Residential Community)	Public/Quasi-Public (Silver Creek Planned Residential Community)	Public/Quasi-Public (Silver Creek Planned Residential Community)	April 7, 2010 and June 9, 2010	7-0	Public/Quasi-Public (Silver Creek Planned Residential Community)	10-1 (Liccardo opposed)	April 27, 2010; May 18, 2010; and June 15, 2010	Kuehne Stanislaus & Eleanor Trustee et al / Sal Caruso	L. Xavier	Negative Declaration

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